

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA,

vs.

ALVARO ROMERO (1), and
SIDNEY ANTHONY WORRELL (10)

NO. 1:17-CR-00153-TH

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND OVERRULING THE GOVERNMENT'S OBJECTIONS**

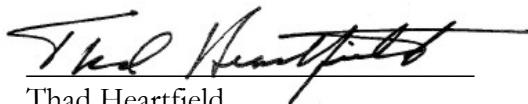
The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this court. The Defendants, Alvaro Romero and Sidney Anthony Worrell, moved to suppress wiretap evidence. (Doc. No. 172).

Judge Hawthorn concluded that the wiretap orders were facially insufficient because they did not contain the identity of the high-level Justice Department official who approved the applications. (Doc. No. 201.) Therefore, he recommended that the contents of the wire communications and evidence obtained therefrom be suppressed pursuant to 18 U.S.C. § 2518(10)(a)(ii). (*Id.*)

The Government objected to Judge Hawthorn's findings. The court conducted a *de novo* review of the objections in relation to the parties' filings and the applicable law. *See* FED. R. CIV. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C). After careful consideration, the court finds the objections have no merit and that Judge Hawthorn correctly concluded that the deficiency renders the Wiretap Orders facially insufficient.

Accordingly, the Government's objections are OVERRULED. Judge Hawthorn's findings, conclusions and analysis are correct, and his report is ADOPTED. It is further ORDERED that the Defendants' "Motion to Suppress" (Doc. No. 172) is GRANTED and all evidence seized as a result of the wiretap orders is excluded.

SIGNED this the 8 day of January, 2019.



Thad Heartfield
United States District Judge